GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Late Smt.Ch.Venkataratnam, former CDPO, ICDS Project, Udayagiri and retired as CDPO, ICDS Project, V.Madugula, Visakhapatnam (expired on 03-08-2011) and Late Sri I.Krishna Reddy, Junior Assistant, O/o ICDS Project, Udayagiri, Nellore (expired on 26-07-2008) – Indulged in certain financial and administrative irregularities – Recovery of mis – appropriated Government funds from the terminal benefits to be paid to the Legal Heirs of the deceased public servants under Rule – 9 (7) (a) of A.P.Revised Pension Rules, 1980 read with G.O.Ms.No.1097, Finance (PC-I) Department, dated 22-06-2000 and G.O.Ms.No.995, Finance (Pen.) Department, dated 21-02-2002– Permission – Accorded - Orders – Issued.

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3. With ref. to Govt. Memo. 6th read above, the Director, W.D & C.W., A.P., vide Letter 10th read above, has informed the Government that, the information furnished by the Director, W.D & C.W., A.P., vide their Letter, dt:18.05.2010, holds good and requested the Government to issue necessary final orders in the matter.

4. According to Rule 9(7) of A.P. Revised Pension Rules, 1980 "Even though a Government servant has retired from service and was not before his retirement charge sheeted or called upon to explain why a pecuniary loss caused to the Government (or a local authority) due to his negligence, while he was in service, should not be recovered from him, the Government if they are satisfied that the loss is due to him, shall recoup the pecuniary loss besides all Government dues (or local authority dues) from the Retirement Gratuity. For this purpose, it shall not be necessary to get the consent of the Government servant or the consent of the members of his family in the case of a deceased Government servant, as the case may be. In such cases, it shall be indicated in the sanction clearly the amount of Retirement Gratuity admissible, a stated amount which shall be deducted from the Retirement Gratutiy on account of Government dues or local authority dues or loss sustained by the Government servant due to negligence and the net amount of Retirement Gratuity payable to the retired Government servant.

5. According to Rule 9 (7) (a) of the above Rules "When a Government servant dies before conclusion of the disciplinary proceedings, generally death abates all further proceedings. As such, when Government servant dies before conclusion of the disciplinary proceedings, the proceedings under rule 9 of the Andhra Pradesh Revised Pension Rules 1980 also abates. If any loss caused or misappropriated the Government amount by the deceased Government servant is established, in such cases, the disciplinary proceedings will not automatically abate and it is open to the Government to bring the legal representatives on record and conclude disciplinary proceedings for the purpose of recovery of the same." Provided that the Consultation with the Andhra Pradesh Public Service Commission shall not be necessary for taking action under this sub-rule.

6. In the circumstances stated above, Government after careful consideration of the matter, hereby accord permission to the Spl. Commissioner, W.D & C.W., A.P., Hyderabad to recover an amount of Rs.6,607/- of mis-appropriated Government funds from the terminal benefits to be paid to the legal heirs of the deceased public servant i.e. Late Sri I.Krishna Reddy, Junior Assistant, O/o ICDS Project, Udayagiri, Nellore, who expired on 26-07-2008 and to recover an amount of Rs.28,649/- (i.e. Rs.19,042/- in respect of Charge No.6 and Rs.9,607/- which is half of mis-appropriated amount in respect of Charge No.8) from the terminal benefits to be paid to the legal heirs of the deceased public servant i.e. Late Smt.Ch.Venkataratnam, former CDPO, ICDS Project, Udayagiri, Nellore and retired CDPO, ICDS Project, V.Madugula, Visakhapatnam, who expired on 03-08-2011, as per Rule – 9 (7) (a) of A.P.Revised Pension Rules, 1980 read with G.O.Ms.No.1097, Finance (PC-I) Department, dated 22-06-2000 and G.O.Ms.No.995, Finance (Pension-I) Department, dated 21-02-2002, subject to production of 'Legal Heir Certificate 'issued by the competent authority / Revenue Department by the legal heirs.

7. The Spl. Commissioner, W.D & C.W., A.P., Hyderabad, is requested to take necessary further action in the matter, accordingly.

8. This orders issues with the concurrence of Finance (HRM-V) Department vide U.O.No.24870/179/A1/HRM-V/15, dated 10-11-2015.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

Dr.(Smt.) POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
The Spl. Commissioner, W.D & C.W., A.P., Hyderabad.
The Accountant – General, A.P., Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
Copy to: -
The R.D.D., W.D & C.W., Visakhapatnam.
The R.D.D., W.D & C.W., Ongole, Prakasam District.
SF / SCs.

// FORWARDED :: BY ORDDER //

SECTION OFFICER